

Mandatory COVID-19 Vaccination Policy as applied to City Contractors and Vendors

1. What is the City's Mandatory COVID-19 Vaccination Policy?

The Vaccination Policy is a policy that requires City of San Diego employees and volunteers, and those who contract with the City (City contractors), to be fully vaccinated against COVID-19. The Policy is outlined in San Diego Ordinance O-21398 (Nov. 29, 2021) and can be found [here](#).

2. What does the Vaccination Policy require of City contractors?

It requires that all City contractors, who interact in person with City employees while providing contracted services indoors in City facilities or while performing bargaining unit work while indoors, to be fully vaccinated against COVID-19 by Jan. 3, 2022, as a condition for provision or continued provision of contracted services.

3. Who is considered a City contractor under the Vaccination Policy?

"City contractor" means a person who has contracted with the City of San Diego to provide public works, goods, services, franchise or consultant services for or on behalf of the City, and includes a subcontractor, vendor, franchisee, consultant or any of their respective officers, directors, shareholders, partners, managers, employees or other individuals associated with the contractor, subcontractor, consultant or vendor. "Person" means any natural person, firm, joint venture, joint stock company, partnership, association, club, company, corporation, business trust or organization.

4. When will City contractors be required to be fully vaccinated?

City contractors are required to be fully vaccinated against COVID-19 by Jan. 3, 2022.

5. Is the Vaccination Policy only in effect on City owned property?

The Vaccination Policy requires City contractors to be fully vaccinated if providing contracted services indoors in City facilities or while performing bargaining unit work indoors.

6. Is the Vaccination Policy only in effect indoors?

Yes, employees of City contractors are required to be fully vaccinated if providing contracted services indoors in City facilities or while performing bargaining unit work indoors.

7. Under the Vaccination Policy, will a City contractor's entire workforce need to be vaccinated?

No, by Jan. 3, 2022, only those City contractor employees who interact in person with City employees while providing contracted services indoors in City facilities or while performing bargaining unit work while indoors are required to be fully vaccinated against COVID-19. For example, situations where a contractor employee would have interactions for a cumulative total of at least 15 minutes or longer, and not just passing through a shared space, would require that contractor's employee to be vaccinated.

8. What is meant by "interact in person with City employees?" If an electrician was working on a service panel in a City building and had no need to interact with a City employee would that electrician still be subject to the Vaccine Policy?

"Interact in person" means that a City contractor is physically near or in the proximity of a City Employee. The Vaccination Policy applies to City contractors who are in a City facility and physically around City employees. For example, the Vaccination Policy does not apply to a City contractor who provides services remotely (online, phone, etc.).

9. Can a City contractor take a COVID-19 test instead of getting vaccinated?

The City is not providing a COVID-19 testing option to City contractors as a means for compliance with the Vaccination Policy.

10. Can a City contractor request a religious and/or medical exemption for outside contractors from the City?

California employers are required to comply with the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, and the California Fair Employment and Housing Act with regard to requests by their own employees for medical or religious exemption. The City's religious and medical exemption process is applicable to City employees and not to City contractors. If a City contractor has their own OSHA compliant vaccination or testing program in place and can provide proof that a member of their workforce needs to be accommodated by wearing a mask indoors, the City may take that into consideration.

11. How will the City be monitoring compliance?

Contractors will be required to self-certify that the members of their workforce reporting to work at a City facility are fully vaccinated. Per the Vaccination Policy, “fully vaccinated” means a person has received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine, or otherwise meets the criteria for full vaccination against COVID-19 as stated in applicable public health guidance, orders, or law. Acceptable COVID-19 vaccines must be approved by the U.S. Food and Drug Administration (FDA) or authorized for emergency use by the FDA or the World Health Organization. The City will randomly audit City contractors at an interval or frequency deemed appropriate to check for compliance. Further, members of a City contractor’s workforce can be asked to provide proof of vaccination at any time while performing work indoors, on City property. The request for proof of vaccination may be made by a City supervisor or management representative.

12. What happens if a City contractor is not compliant with the mandate?

The City may take action against a City contractor, pursuant to the terms of the City’s General Terms and Provisions, Reference Standards, and the San Diego Municipal Code. Non-compliance may result in termination of a contract for cause. Non-compliant City contractors will have the ability to cure any non-compliance prior to action being taken.

13. When will the City’s vaccine mandate take effect and when will the City give notice of the Vaccination Policy to contractors?

City contractors are required to be fully vaccinated against COVID-19 by Jan. 3, 2022. On Dec. 2, 2021, a letter was issued to all City contractors, regardless of services or goods provided, via the City’s electronic bid notification system, Planet Bids. Additionally, the Vaccination Policy will be posted for view on the Purchasing and Contracting Department’s website.

14. What if I have additional questions?

Reach out to your point of contact at the City (contract administrator) for your contract for the most up to date information. As the City has more information to share, it will be posted on this FAQ.

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